

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Pennsylvania

Case number (if known) \_\_\_\_\_ Chapter 7

Check if this an amended filing

## Official Form 205

# Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against a non-individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

**Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed**

1. Chapter of the Bankruptcy Code **Check one:**

Chapter 7  
 Chapter 11

**Part 2: Identify the Debtor**

2. Debtor's name Fitzpatrick Container Company

3. Other names you know the debtor has used in the last 8 years \_\_\_\_\_

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)  Unknown

EIN \_\_\_\_\_

5. Debtor's address **Principal place of business**

6923 Schantz Road

Number Street

Allentown PA 18106-0000

City State Zip Code

Lehigh

County

**Mailing address, if different**

Number Street

P.O. Box

City State Zip Code

**Location of principal assets, if different from principal place of business**

Number Street

City State Zip Code

6. Debtor's website (URL) \_\_\_\_\_

7. Type of debtor  Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
 Partnership (excluding LLP)  
 Other type of debtor. Specify: \_\_\_\_\_

8. Type of debtor's business **Check one:**  
 Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))

Debtor

Fitzpatrick Container Company

Case number (if known)

Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the types of business listed.  
 Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

No  
 Yes. Debtor

District \_\_\_\_\_ Date filed \_\_\_\_\_ Case number, if known \_\_\_\_\_ MM / DD / YYYY

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ Case number, if known \_\_\_\_\_ MM / DD / YYYY

#### Part 3: Report About the Case

10. Venue Check one:

Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.  
 A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).  
The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

*At least one box must be checked:*

The debtor is generally not paying its debts as they become due, unless they are in the subject of a bona fide dispute as to liability or amount.  
 Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

No  
 Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	GP Corrugated, LLC	sale of goods on credit	\$1451399.3
	Kampack, Inc.	sale of goods on credit	\$197712.72
	WestRock CP, LLC	sale of goods on credit	\$1503293.99
	WestRock Southern Container, LLC	sale of goods on credit	\$23190.82
			Total of petitioners' claims \$3175596.83

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Debtor Fitzpatrick Container Company

Case number (if known) \_\_\_\_\_

**Part 4 Request for Relief**

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

**Petitioners or Petitioners' Representative**

**Attorneys**

Name and mailing address of petitioner

GP Corrugated, LLC

Name

133 Peachtree Street, NE

Number Street

Atlanta GA 30303-0000

City State Zip Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State Zip Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19,  
2020

MM / DD / YYYY

/s/ Mark E. Wilgus, Regional Controller

Signature of petitioner or representative, including representative's title

**David B. Smith**

Printed name

**Smith Kane Holman, LLC**

Firm name, if any

112 Moores Road

Suite 300

Number Street

Malvern PA 19355-0000

City State Zip Code

Contact phone 610-407-7215 Email dsmith@skhlaw.com

Bar number 59098

State PA

**/s/ David B. Smith**

Signature of attorney

Date signed October 19, 2020

MM / DD / YYYY

**Petitioners or Petitioners' Representative**

Name and mailing address of petitioner

Kampack, Inc.

Name

100 Frontage Road

Number Street

Newark NJ 07114-0000

City State Zip Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State Zip Code

Involuntary Petition Against a Non-Individual

**Attorneys**

**David B. Smith**

Printed name

**Smith Kane Holman, LLC**

Firm name, if any

112 Moores Road

Suite 300

Number Street

Malvern PA 19355-0000

City State Zip Code

Contact phone 610-407-7215 Email dsmith@skhlaw.com

Bar number 59098

State PA

Debtor Fitzpatrick Container Company

Case number (*if known*) \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on October 19,  
2020  
MM / DD / YYYY

/s/ Jenieve Quash, Corporate Controller

Signature of petitioner or representative, including representative's title

/s/ David B. Smith

Signature of attorney

Date signed October 19, 2020  
MM / DD / YYYY

**Petitioners or Petitioners' Representative**

Name and mailing address of petitioner

WestRock CP, LLC

Name

1000 Abernathy Road NE

Number Street

Atlanta GA 30328-0000

City State Zip Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State Zip Code

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on October 19,

2020

MM / DD / YYYY

/s/ Brian Newton, Senior Credit Manager

Signature of petitioner or representative, including representative's title

**Attorneys**

David B. Smith

Printed name

Smith Kane Holman, LLC

Firm name, if any

112 Moores Road  
Suite 300

Number

Street

Malvern PA 19355-0000

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Contact phone 610-407-7215

Email

dsmith@skhlaw.co  
m

Bar number 59098

State PA

/s/ David B. Smith

Signature of attorney

Date signed October 19, 2020  
MM / DD / YYYY

**Petitioners or Petitioners' Representative**

Name and mailing address of petitioner

WestRock Southern Container, LLC

Name

1000 Abernathy Road NE

Number Street

Atlanta GA 30328-0000

City State Zip Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State Zip Code

**Attorneys**

David B. Smith

Printed name

Smith Kane Holman, LLC

Firm name, if any

112 Moores Road  
Suite 300

Number

Street

Malvern PA 19355-0000

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dsmith@skhlaw.co  
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Bar number 59098

State PA

Debtor Fitzpatrick Container Company

Case number (*if known*) \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on October 19,  
2020  
MM / DD / YYYY

/s/ Brian Newton, Senior Credit Manager

Signature of petitioner or representative, including representative's title



/s/ David B. Smith

Signature of attorney

Date signed October 19, 2020  
MM / DD / YYYY